

**Town of Shrewsbury - Board of Selectmen**  
**Richard D. Carney Municipal Office Building-Conference Room B**  
**100 Maple Avenue**  
**Monday, September 13, 2004 at 7:00 PM**

**Minutes**

**Present:**

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, Daniel Morgado, Town Manager, Michael hale, Assistant Town Manager, and T. Philip Leader, Town Counsel. Mr. DePalo called the meeting to order at 7:01pm.

**Preliminaries:**

1. Approve bills, payrolls and warrants #0515 in the amount of \$1,437,418.56, #0517 in the amount of \$279,540.54, #0518 in the amount of \$3,032,331.51, #0519 in the amount of \$1,517,938.75, #0520 in the amount of \$900,038.65, and #0522 in the amount of \$1,988,017.49.
2. Approve Minutes of August 23, 2004. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Lebeaux announced that Library Director Bonnie O'Brien will be retiring at the end of the month. The trustees and staff will hold a Retirement Reception for Bonnie on September 30<sup>th</sup> from 2:00pm-4:00pm at the library. All are invited to stop by and wish Bonnie well.
4. Town Manager's Report - Nothing other than what is on the Agenda.

**Meetings:**

5. 7:00pm – Rep. Karyn Polito gave a legislative update. She reported that Shrewsbury would be receiving an additional \$270,000 due to approval of a supplemental budget. This budget is subject to the Governor's veto but she doubted that the town's portion would be affected. Rep. Polito added that the Town Center project was moving along nicely. Also, improvements to the Quinsigamond Avenue/Route 9 intersection are scheduled to be advertised this month with a construction start in late winter or early spring. The state is also planning to sell a parcel of land on Route 9 near Lake Street as surplus this fall. This land is in the commercial business zone and Rep. Polito will work to keep it designated as such. The Town should be receiving payment from the SBA for the high school in FY06 and Beal School in FY07. She added that State Treasurer Cahill would like to come out and talk to the Board in early October if possible. Mr. Morgado said that he would contact the other towns in the area to set up a joint meeting and get back to Rep Polito with a date. The Board thanked Rep. Polito for coming in and for all she does for the Town.

At a request from Mr. Card for an update on the work at Route 9 and Oak Street, Michael Hale, Asst. Town Manager and Jack Perreault, Town Engineer joined the meeting. Mr. Perreault stated that this work had been going on all summer and should be completed by the beginning of the year. He added that they are currently working on the paving of the Town Center and should be finished by the Spirit of Shrewsbury Festival in October. The ornamental light poles are up and the Light Dept. will install the heads. They should be operational in a couple of weeks. Work is in progress on the plantings on the island at Prospect and Boylston Streets and along the Library. Rep Polito has secured a grant from Mass. Turnpike Authority for \$47,000 which will be used for this purpose. The Rotary Club is sponsoring an ornamental clock to be installed on the island at Maple Avenue and Main Street in front of Beal School. Mr. Perreault noted that final paving will be done after rush hour in the evenings around 7:00pm-8:00pm

6. 7:05pm – Shrewsbury Development Corporation Update. Hannah Kane, Chair, and corporation members: Gregory Riedel, Christopher Boehm, Pat Convery, Christopher Mehne and Michael Traynor were present. Ms. Kane briefed the Board on the corporation's activities since the last update which included a market study by WBDC. She advised that after a review of the study the group concluded that the market for office space will probably not pick up for another ten years and because they wished to preserve the property for the highest and best use they would like to wait until the market improves. The Board concurred with this decision. Ms. Kane added that although they had decided to wait they would still be open to any proposals.

**Public Hearings:**

7. 7:15pm – Change Town Election Day Mr. DePalo advised that a by law change is necessary in order to change the Annual Town Election day from Monday to Tuesday. The difficulty in setting up polling places in the private facilities used for voting is the reason the Board is looking at this change. Mr. DePalo invited Town Clerk Ann Dagle to join the meeting and opened the hearing to the public. Ms. Dagle added that in addition to the difficulty in setting up private

facilities there is also the expense of bringing personnel in on a Sunday to do the work. Polling places are limited to 4,000 by law and the Town does not have sufficient space in public buildings to accommodate the number of precincts needed, so private facilities have to be used. Retired Town Clerk Don Grey voiced his support for Ms. Dagle's evaluation of the use of private facilities for voting. Mr. Fiore asked about placing several precincts at the new high school. Ms. Dagle will look into that suggestion. After a discussion and questions from those present the Board agreed with the proposal to change the Town Election Day as presented. Ms. Dagle will look into the possibility of using the high school as a site for several precincts and report back to the Board. Ms. Dagle reminded everyone that tomorrow is primary election day and the polls will be open from 7:00am to 8:00pm.

8. 7:30pm - Taneja Enterprise, Inc. d/b/a Quiznos Sub, Krishan Taneja, Manager, Quinsigamond Plaza, 97 Boston Turnpike. Common Victualler's License, Hours of Operation: Monday-Friday, 10:00am to 10:00pm and Saturday-Sunday, 11:00am to 9:00pm. Mr. Taneja was present and advised the Board that Quiznos is an upscale version of Subway. He plans to employ five people with seating for 30 inside the building with and an area outside to accommodate 20 more. He hopes to open by mid October. Mr. DePalo advised that reports from all department heads were favorable and reminded Mr. Taneja that the facility must be handicapped accessible. Motion was made, seconded and unanimously voted to close the hearing. Motion was made, seconded and unanimously voted to approve the application as stated for a Common Victualler's License for Quiznos Sub, Krishan Taneja, Mgr., 97 Boston Turnpike.

#### **Old Business:**

9. Act on 52 Holden Street. Mr. Morgado advised that no bids had been received and he recommended the Board lower the minimum price from \$310,000 to \$280,000. Motion was made, seconded and unanimously voted that resulting from the fact that no proposals were received on August 25, 2004, the Board vote to reduce the minimum proposal amount on the sale of 52 Holden Street that was authorized on July 26, 2004 to \$280,000 which was the appraised value of the property as of July 23, 2003.
10. Shrewsbury Light Dept. recommendation for streetlight installation- Arrowwood Drive. Motion was made, seconded and unanimously voted to approve recommendation by Shrewsbury Light Dept.

#### **New Business:**

11. Act on Inter-Municipal Agreement Law Enforcement District. This agreement covers the Boston Hill area primarily. Motion was made to authorize the Town Manager to sign the agreement. Motion was seconded and unanimously voted.
12. Act on appointment of precinct officers to serve until August 31, 2005. Motion was made to approve precinct officers as recommended by Town Clerk Dagle. Motion seconded and unanimously voted.

#### **Executive Session:**

13. 7:45pm – Collective bargaining, value of real property and pending litigation - Town Counsel, T. Philip Leader. Motion was made, seconded, and unanimously voted to adjourn into executive session at 7:54pm and not to reconvene for the purpose of discussing pending litigation and value of real property. The Board was polled, Mr. Fiore, yes, Mr. Hammond, yes, Mr. Card, yes, Mr. Lebeaux, yes and Mr. DePalo, yes.

#### **Communications:**

14. Noted copy mailed: Letter from Ashwani Garg re Universal Brotherhood Day.
15. Noted copy mailed: Letter from Rep. Polito re House Bill 1988, *An Act Authorizing the Commissioner of Capital Asset Management and Maintenance to Convey Certain Conservation Land to the Shrewsbury Housing Authority*.
16. Noted copy mailed: E-mail from Erin Shapiro, Esq. to Rep Polito re Avalon Update.
17. Noted copy mailed: E-mail from Dawn Harris, 50 Arrowwood Drive, re Street Lights on Arrowwood Drive. See Old Business.
18. Noted copy mailed: Notice from MMA of annual Kenneth E. Pickard Memorial Innovation Award Program.
19. Noted copy mailed; ZBA Hearing Agenda, 9/14/04.
20. Noted copy mailed: Letter from Robert Cole, Esq. requesting installation of streetlights at Park Grove Farm. Forward to Light Dept. for recommendation.
21. Noted copy mailed: Letter from Loitherstein Environmental re Availability of Phase IV-Final Inspection Report, Phase IV Completion Statement & Remedy Operation Status, 32 Maple Avenue.
22. Noted copy mailed: Letter from Gould & Ettenberg re MGL Chapter 61A, Sec. 14 - Notice of Sale/Conversion – Adams Land. Forward to Conservation Commission for recommendation. Need report by next meeting on September 27<sup>th</sup>.
23. Noted copy mailed: E-mail from Kris Vokes, 33 Bay View Drive, re Whitler Drive Sewerage to Lake Quinsigamond and response from Mr. DePalo. Board of Health regularly tests the water in Lake Quinsigamond.
24. Shrewsbury side is safe for swimming.

25. Noted copy mailed: Letter from MEMA to Chief LaFlamme re Local Emergency Planning Committee (LEPC) Program.
26. Noted copy mailed: Notice form DHCD re Free Workshop - Developing Affordable Housing on Municipal Land.
27. Noted copy mailed: Notice of MMA's 7<sup>th</sup> Annual Joint Conference for Alderman, Councilors & Selectmen.
28. Noted copy mailed: Notice of Project Change from Beals & Thomas, Inc. re Cherry Street Sewer Extension Project (complete mailing on file in BOS office).
29. Noted copy mailed: DOR Bulletin 2004-14B – Fiscal Year 2005 Property Tax Bills.
30. Noted copy mailed: Memo from Dept. of Revenue re available funds or “free cash” as of 7/1/04. Higher than what Mr. Morgado expected.
31. Noted copy mailed: Request from Francis Holloway to be reappointed to the Westborough Treatment Plant Board for a term of three years expiring on September 30, 2007. Motion was made, seconded and unanimously voted to reappoint Mr. Holloway to the Westborough Treatment Plant Board for a term of three years expiring on September 30, 2007.
32. Noted copy mailed: E-mails of 9/4/04 & 9/8/04 from Monica Maher, 52 Maple Circle, re School Bus Routes & responses from School Supt. Anthony Bent & Linda Sweet, Transportation Coordinator.
33. Noted copy mailed: E-mail from Ken Milley, 105 Francis Avenue, re Flanagan Drive. Conservation Commission seems to be pleased with progress of work.
34. Noted copy mailed: Announcement from AMA of 2005 Dr. Nathan David Awards for Outstanding Government Service and nomination materials. (material on file in BOS office)
35. Noted copy mailed: Letters from Mr. Morgado appointing Keith Willette and Barbara Smith to the Commission on Disabilities for three year terms expiring on June 30, 2007.
36. Noted copy mailed: Request from Judy DeFalco to be reappointed to the Scholarship Committee for a term of three years expiring on October 31, 2007. Motion made, seconded and unanimously voted to reappoint Judy DeFalco to the Scholarship Committee for a term of three years expiring on October 31, 2007.
37. Noted copy mailed: Letter from CMRPC re MPO membership and alternate membership. Board concurs.
38. Noted copy mailed; Request from Greenleaf Farms Development, June Tomaiolo, President, for installation of a street light at Silver Gate Circle. Forward to Light Dept. for recommendation.
39. Noted copy mailed: Letter re observance of National Bible Week.
40. Noted copy mailed: Letter from Neighbors of Shannon Drive, Darren Drive, Grace Avenue, Kenda Road & Dorianna Avenue re School Bus pick-up and drop-off locations. School Dept. issue.
41. Noted copy mailed: S.T.A.R. FY05 Dues Notice & Mtg. Agenda for 9/16/04. Motion was made, seconded and unanimously voted to join S.T.A.R. for FY05.
42. Noted copy mailed: Invitation to St. John's High School 2004 Pioneerfest.
43. Noted copy mailed: Westborough Treatment Plant Board Mtg. Minutes, 8/11/04.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:29pm not to reconvene for the purpose of discussing pending litigation and value of real property.

Respectfully submitted,

Janice C. McCoy  
Secretary